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November 20, 2006

## BY ELECTRONIC FILING

The Honorable Gregory M. Sleet United States District Court 844 N. King Street Wilmington, Delaware 19801

Re: Telcordia Tech., Inc. v. Lucent Tech., Inc., Civil Action No. 04-875 GMS

Telcordia Tech., Inc. v. Cisco, Inc., Civil Action No. 04-876-GMS

## Dear Judge Sleet:

I write on behalf of the defendants pursuant to D.Del. LR 7.1.2(c), to bring to the Court's attention the Federal Circuit's November 15, 2006 Opinion in 02 Micro International Ltd. v. Monolithic Power Systems, Inc., No. 06-1064 (Fed. Cir. Nov. 15, 2006)(Ex. A). The 02 decision is relevant to defendants' pending motion for summary judgment of non-infringement of the '306 patent (see D.I. 267 in C.A. No. 04-876-GMS, at pp. 15-16). The discussion at pages 24-25 of the 02 Opinion confirms the propriety of the exclusion of an expert report where a litigant fails to meet the Court-ordered deadline.

Respectfully,

Jack B. Blumenfeld (#1014)

JBB/bls

cc: Peter T. Dalleo, Clerk (By Hand)

John G. Day, Esquire (By Hand)

John W. Shaw, Esquire (By Hand) Donald R. Dunner, Esquire (By Email)

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